

Senate File 404 - Reprinted

SENATE FILE 404
BY COMMITTEE ON EDUCATION

(SUCCESSOR TO SF 266)

(As Amended and Passed by the Senate March 18, 2013)

A BILL FOR

1 An Act relating to supplementary weighting for limited English
2 proficient students and including effective date provisions.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 257.31, subsection 5, paragraph j, Code
2 2013, is amended to read as follows:

3 *j.* Unusual need to continue providing a program or other
4 special assistance to non-English speaking pupils after
5 the expiration of the ~~four-year~~ applicable period of years
6 specified in section 280.4.

7 Sec. 2. Section 280.4, subsection 3, Code 2013, is amended
8 to read as follows:

9 3. *a.* In order to provide funds for the excess costs
10 of instruction of limited English proficient students above
11 the costs of instruction of pupils in a regular curriculum,
12 students identified as limited English proficient shall be
13 assigned an additional weighting of twenty-two hundredths, and
14 that weighting shall be included in the weighted enrollment of
15 the school district of residence for a period not exceeding
16 ~~four~~ the number of years specified in paragraph "b". However,
17 the school budget review committee may grant supplemental aid
18 or modified allowable growth to a school district to continue
19 funding a program for students after the expiration of the
20 ~~four-year~~ specified period of years in paragraph "b".

21 *b. (1)* For students first determined to be limited English
22 proficient for a budget year beginning before July 1, 2013,
23 the additional weighting provided under paragraph "a" shall be
24 included in the weighted enrollment of the school district of
25 residence for a period not exceeding four years.

26 *(2)* For students first determined to be limited English
27 proficient for the budget year beginning July 1, 2013, the
28 additional weighting provided under paragraph "a" shall be
29 included in the weighted enrollment of the school district of
30 residence for a period not exceeding five years.

31 *(3)* For students first determined to be limited English
32 proficient for the budget year beginning July 1, 2014, the
33 additional weighting provided under paragraph "a" shall be
34 included in the weighted enrollment of the school district of
35 residence for a period not exceeding six years.

1 (4) For students first determined to be limited English
2 proficient for a budget year beginning on or after July 1,
3 2015, the additional weighting provided under paragraph "a"
4 shall be included in the weighted enrollment of the school
5 district of residence for a period not exceeding seven years.

6 Sec. 3. LIMITED ENGLISH PROFICIENT WEIGHTING
7 ADJUSTMENT. For the fiscal year beginning July 1, 2013,
8 and ending June 30, 2014, there shall be allocated to the
9 department of education from the amount appropriated pursuant
10 to section 257.16, subsection 1, based upon the increase
11 from four to five years in the availability of supplementary
12 weighting for instruction of limited English proficient
13 students pursuant to section 280.4, an amount to be determined
14 by the department of management in consultation with the
15 legislative services agency. The funds shall be used to adjust
16 the weighted enrollment of a school district with students
17 identified as limited English proficient on a prorated basis.

18 Sec. 4. LIMITED ENGLISH PROFICIENT STUDENTS — STUDY AND
19 REPORT. The department of education shall conduct a study
20 regarding the special instruction of limited English proficient
21 students that includes but is not limited to an examination
22 of the best practices for such instruction and an examination
23 of possible accountability measures related to providing
24 additional funding for limited English proficient students
25 under section 280.4. The department shall solicit and accept
26 input from all relevant stakeholders. The department shall
27 submit a report on the study and make recommendations to the
28 governor and the general assembly by December 15, 2013.

29 Sec. 5. EFFECTIVE UPON ENACTMENT. This Act, being deemed of
30 immediate importance, takes effect upon enactment.